

ASSEMBLY BILL

No. 117

Introduced by Assembly Member Beall

January 9, 2007

An act to add and repeal Section 1463.21 of the Penal Code, and to add and repeal Section 42012 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 117, as introduced, Beall. Traffic offenses: additional assessment: traffic safety.

Existing law imposes a base fine, assessments, and other applicable fees and penalties on a person upon a conviction of an offense involving the unsafe operation of a motor vehicle on the highways.

This bill would provide that, until January 1, 2010, a county may elect to levy an additional assessment in the amount of \$2 for every \$10 or fraction thereof, upon each base fine, not including other penalty assessments, fees, or additions, imposed and collected by the county for an offense involving the unsafe operation of a motor vehicle upon the highway in violation of the Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code. The bill would require that the collected assessments be deposited in a Traffic Safety Committee Network Fund. The bill would require moneys in the fund, after deducting administrative costs, not to exceed 10% of the amount of the fund, be allocated in a manner so that 85% be used for local traffic safety programs approved by the county board of supervisors, as specified, and 15% be deposited in the county's Courthouse Construction Fund.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1463.21 is added to the Penal Code, to
2 read:

3 1463.21. (a) If a county establishes a Traffic Safety Committee
4 Network Fund pursuant to Section 42012 of the Vehicle Code,
5 notwithstanding Section 1463, out of moneys deposited with the
6 county treasurer pursuant to Section 1463, the assessment imposed
7 pursuant to Section 42012 of the Vehicle Code shall be deposited
8 in the Traffic Safety Committee Network Fund in the county
9 treasury and shall be allocated pursuant to Section 42012 of the
10 Vehicle Code.

11 (b) This section shall remain in effect only until January 1, 2010,
12 and as of that date is repealed, unless a later enacted statute, that
13 is enacted before January 1, 2010, deletes or extends that date.

14 SEC. 2. Section 42012 is added to the Vehicle Code, to read:

15 42012. (a) (1) A county may by ordinance elect to levy an
16 additional assessment of two dollars (\$2) for every ten dollars
17 (\$10) or fraction thereof, upon each base fine, not including other
18 penalty assessments, fees, or additions, imposed and collected by
19 the courts for an offense involving the unsafe operation of a motor
20 vehicle upon the highways in violation of this code or a local
21 ordinance adopted pursuant to this code.

22 (2) A parking violation that is subject to Article 3 (commencing
23 with Section 40200) of Chapter 1 of Division 17 does not apply
24 to paragraph (1).

25 (b) Assessments shall be collected pursuant to subdivision (a)
26 only if the county board of supervisors provides that the increased
27 assessments do not offset or reduce the funding of other local
28 traffic safety programs from other sources, and that these additional
29 revenues result in increased funding to local traffic safety programs
30 and courthouse construction.

31 (c) (1) A county that enacts an ordinance pursuant to
32 subdivision (a) shall establish a Traffic Safety Committee Network
33 Fund for purposes of receiving deposits under Section 1463.21 of
34 the Penal Code and funding expenditures and disbursements under
35 this section. For purposes of this section, “fund” means the Traffic
36 Safety Committee Network Fund.

37 (2) Prior to the allocation of funds under subdivision (d), the
38 costs of administering the fund shall be reimbursed by the fund,

1 based on the actual administrative costs, not to exceed 10 percent
2 of the amount of the fund.

3 (3) All interest earned on moneys in the fund shall be deposited
4 in the fund for expenditure and disbursement as specified in this
5 section.

6 (d) Moneys in the fund, after deducting the administrative costs
7 under paragraph (2) of subdivision (c), shall be allocated as
8 follows:

9 (1) Eighty-five percent of those moneys shall be used for local
10 traffic safety programs approved by the board of supervisors under
11 subdivision (e).

12 (2) Fifteen percent of those moneys shall be deposited in the
13 county's Courthouse Construction Fund established in accordance
14 with Section 76100 of the Government Code.

15 (e) (1) (A) A board of supervisors that establishes a Traffic
16 Safety Committee Network Fund, shall create a countywide
17 community collaboration committee for the purpose of developing
18 recommendations for traffic safety programs that are eligible for
19 funding under paragraph (1) of subdivision (d).

20 (B) Eligible funding programs are programs that increase local
21 traffic safety and reduce related personal injuries and fatalities
22 through existing local traffic safety programs or the creation of
23 new local traffic safety programs.

24 (2) From the recommended eligible funding programs developed
25 under paragraph (1), the board of supervisors shall select eligible
26 local traffic safety programs for funding.

27 (f) This section shall remain in effect only until January 1, 2010,
28 and as of that date is repealed, unless a later enacted statute, that
29 is enacted before January 1, 2010, deletes or extends that date.